

REMARKS

Claims 1, 2, 4-10, and 12-14 remain in the application and claims 1, 2, 4, 9, 10, and 12 have been amended hereby. Claims 3, 11, 15, and 16 have been canceled, without prejudice or disclaimer.

The title of the invention has been amended to read -- OPTICAL RECORDING MEDIUM HAVING FIRST AND SECOND RECORDING AREAS OF DIFFERENT FORMATS--.

Reconsideration is respectfully requested of the rejection of claims 1-16 under 35 USC 112, second paragraph, as being indefinite.

Claims 15 and 16 have been canceled, thereby rendering the rejection thereof moot.

Claims 1, 2, 4, 9, 10, and 12 have been amended in part to delete the recitation "other addressing system".

Accordingly, it is respectfully submitted that amended independent claims 1, 9, and 10, and the claims depending therefrom, are clear and definite in their recitation of the present invention and meet all requirements of 35 USC 112.

Reconsideration is respectfully requested of the rejection of claims 1, 2, 5-10, and 13-16 under 35 USC 102(e), as being anticipated by Shikunami et al., and of the rejection

of claims 3, 4, 11, and 12 under 35 USC 103(a), as being unpatentable over Shikunami et al. in view of Itami et al.

Claim 3 has been rejected over Shikunami et al. in view of Itami et al. and, because the limitations of claim 3 have been incorporated in independent claims 1, 9, and 10, the rejection of amended independent claims 1, 9, and 10 will be addressed as a rejection under 35 USC 103(a) over Shikunami et al. in view of Itami et al.

Features of the present invention are a recording medium including a first record area for recording addresses in a first addressing system, a second record area for recording addresses in a second addressing system, and a non-record area formed between the first and second record areas, wherein an address value equivalent to a length in a radius direction of the non-record area is added to a start address of the second record area. See page 33, line 21 to page 35, line 2 of the present application, for example.

Independent claims 1, 9, and 10 have been amended to recite these features of the present invention.

It is respectfully submitted that the combination of Shikunami et al. in view of Itami et al. fails to show or suggest that an address value equivalent to a length in a

radius direction of the non-record area is added to a start address of the second record area.

The Office Action at paragraph 10 concedes that Shikunami et al. fails to show or suggest a non-record area formed between first and second record areas and cites Itami et al. as curing this deficiency.

It is respectfully submitted that Itami et al. fails to show or suggest that an address value equivalent to a length in a radius direction of the non-record area is added to a start address of the second area because Itami et al. is merely mentioning a "boundary area". No mention of the length in the radius direction of the "boundary area" can be found in Itami et al.

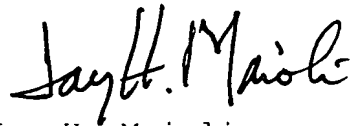
Accordingly, it is respectfully submitted that amended independent claims 1, 9, and 10, and the claims depending therefrom, are patentably distinct over Shikunami et al. in view of Itami et al.

The prior art made of record and not relied upon has been reviewed and is not seen to show or suggest the present invention as recited in the amended claims.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

COOPER & DUNHAM LLP

A handwritten signature in black ink, reading "Jay H. Maioli". The signature is written in a cursive, flowing style with a large, prominent "M".

Jay H. Maioli

Reg. No. 27, 213

JHM/PCF:tb